

REMARKS

Claims 1-6, 8-27 and 29-38 are pending in the application. Claims 1, 8, 11 and 26 have been amended. Claim 7 has been canceled without prejudice or disclaimer. Claim 38 is newly added. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1-4, 6-14, 16-27, 29-34, 36 and 37 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 6,754,885 to Dardinski et al., hereafter Dardinski, in view of U.S. Patent No. 6,654,747 to Van Huben et al., hereafter Van Huben.

This rejection is moot as to claim 7, which has been incorporated into independent claim 1 and canceled. Dependent claim 8 has been amended to change its dependency from canceled claim 7 to claim 1.

This rejection is respectfully traversed. Independent claim 1 has been amended to recite:

"performing said life cycle process on at least one object of a control strategy for a process control system, wherein said life cycle process subjects said object to a plurality of user-defined states, each state having attributes".

Independent claim 26 has been similarly amended. Support for the amendment is in paragraphs 0039 and 0040 of the specification.

Dardinski lacks the performance of a life cycle process on at least one object of a control strategy for a process control system, wherein the life cycle process subjects the object to a plurality of user-defined states. Dardinski merely checks out, edits and checks in an object. These operations are performed as

fixed states in Dardinski's system with no capability for the user to define the states. Van Huben, which was cited for a different reason does not disclose this deficiency of Dardinski.

The Examiner concedes that Dardinski lacks "other limitations" and points to Van Huben. Thus, the Examiner contends that Van Huben discloses the step of providing a change function as recited in independent claim 1, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. The Examiner also cites Van Huben as supplying the "user-defined life cycle states of objects", the "state configuration component" and "controller" recited in independent claim 26. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claims 1 and 26. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in amended independent claims 1 and 26 and their dependent claims 2-4, 6, 8-10, 27, 29-34, 36 and 37.

Independent claim 11 has been amended to provide antecedent basis for "said plurality of definitions".

The Examiner concedes that Dardinski does not disclose the features recited in amended independent claim 11 and set forth at page 6 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 11. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in amended independent claim 11.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 12 and set forth at pages 6 and 7 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the

accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 12. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 12.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 13 and set forth at page 7 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 13. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 13 and its dependent claim 14.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 16 and set forth at page 8 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 16. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 16 and its dependent claim 17.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 18 and set forth at page 8 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 18. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 18 and its dependent claims 19 and 20.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 21 and set forth at page 11 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 21. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 21 and its dependent claims 22 and 23.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 24 and set forth at page 12 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 24. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 24 and its dependent claim 25.

The Examiner concedes that Dardinski does not disclose the features recited in independent claim 26 and set forth at page 13 of the Office Action, but contends that Van Huben does, citing Figs. 5A and 5B and the accompanying description in columns 15 and 16. However, Figs. 5A and 5B relate to the editing of an algorithm by deleting three steps of the algorithm and not to the conceded deficiencies of independent claim 26. Therefore, Van Huben does not supply the conceded deficiencies of Dardinski in independent claim 26 and its dependent claims 27, 29-34, 36 and 37.

For the reasons set forth above, it is submitted that the rejection of claims 1-4, 6, 8-14, 16-27, 29-34, 36 and 37 under 35 U.S.C. 103(a) is either obviated by the amendment or erroneous and should be withdrawn.

The Office Action rejects claims 5, 15 and 35 under 35 U.S.C 103(a) as unpatentable over Dardinski, in view of Van Huben, and further in view of U.S. Patent No. 7,000,118 to Murthy et al., hereafter Murthy.

The Examiner concedes that Dardinski does not disclose the features recited in independent claims 1, 13 and 26 upon which claims 5, 15 and 35 are dependent. As noted above in the discussion of independent claims 1, 13 and 26, Van Huben does not supply conceded deficiencies of Dardinski. Murthy, which was cited for a different reason, also does not supply the deficiencies. Therefore, the combination of Dardinski, Van Huben and Murthy lacks the conceded deficiencies of independent claims 5, 13 and 26 and of their dependent claims 5, 15 and 35.

For the reason set forth above, it is submitted that the rejection of claims 5, 15 and 35 under 35 U.S.C. 103(a) is either obviated by the amendment or erroneous and should be withdrawn.

Newly presented claim 38 is dependent on claim 8 and recites:

"wherein said user-defined states comprise a state of testing, and wherein a user requests one of said user-defined state transitions to said state of testing for testing said object loaded into said controller."

Support for new claim 38 is in paragraphs 0039, 0040 and 0050-0055. Neither Dardinski nor Van Huben discloses the recited feature. Accordingly, it is submitted that claim 38 distinguishes from the cited art and is, therefore, allowable.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 103(a) be withdrawn, that claims 1-6, 8-27 and 29-38 be allowed and that this application be passed to issue.

For the reasons set forth above, it is submitted that this amendment places the application in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and passed to issue. If this amendment is deemed to not place the application in condition for allowance, it is respectfully requested that it be entered for the purpose of appeal.

Respectfully Submitted,

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